CMPMO No. 14 of 2007.

30.8.2007 Present: Mr. Deepak Kaushal, Advocate, for the petitioner.

Mr. B.N. Sharma, Advocate, for the respondent.

The learned District Judge, Solan vide impugned order dated 30th December, 2006 has, on correct appreciation of the facts, rightly allowed the appeal of the respondent on the ground that the petitioner herein is not presumed to be in possession of the property because of the fact that he had entered into an agreement of sale with one Rakesh Gupta. According to the learned District Judge, this agreement clearly provided that the possession of the property had been delivered to said Shri Rakesh Gupta.

No interference is called. The petition is dismissed.

CMP No. 34 of 2007.

In view of the dismissal of the main petition this application does not survive and the same is also dismissed.

August 30, 2007. **(V.K. Gupta), C.J.**
(rc)